
DURHAM \$U

Advice Service

Code of Practice

19-20

1. THE ADVICE SERVICE

1.1 The Advice Service exists within Durham Students' Union and its strategy to be the champion of all Durham students.

1.2 The Advice Service is committed to its role within the Students' Union, providing professional and independent information, advice, and guidance to students on a wide range of issues – including, but not limited to, housing issues, academic issues (such as appeals), student discipline and complaints.

1.3 The Advice Service also works with elected Student Officers, supporting student-led campaigns to improve the lives of students.

1.4 The Code of Practice clearly defines how the Advice Service operates and should act as a point of reference to staff, students, and stakeholders.

1.5 The Code of Practice will be evaluated annually by the Policy Manager.

2. PRINCIPLES OF THE ADVICE SERVICE

2.1 Student Care

The Advice Service staff should at all times:

- Welcome students with respect and courtesy and make them feel at ease
- Promote the welfare of the student and take a person-centred approach – ensuring that the wishes and interests of the student are at the heart of the work done by the service
- Be sympathetic, non-judgemental and respectful of people's needs, views, culture and experiences
- Have a clarity of purpose: be clear with students about the nature and extent of their role and have a clear understanding of the boundaries of their own advocacy role and non-advocacy roles such as advice giving and mediation
- Inform students of available options, check these are understood and enable – if appropriate – students to pursue their chosen course of action
- Use data collected from student cases, to highlight pertinent and persistent issues to the Durham Students' Union Officer Team for their consideration and potential action within the Durham University community and where appropriate, on a regional or national level

2.2 Free and Independent:

The Advice Service is provided to all Durham University students as a free service received as members of the Students' Union. As part of the Students' Union, the Advice Service is independent of the University and all other organisations – for example Colleges.

2.3 Professional:

The Advice Service is staffed by a dedicated Policy Team. The Student Adviser is trained to competently handle a diverse range of issues faced by students and will be supported to continually develop their skills and respond to a dynamic policy environment. The Student

Adviser should be clear about their role and boundaries with an understanding of policies and procedures within the University and external bodies. The Student Adviser should understand all relevant legislation and law (e.g. housing and tenancy law).

2.4 Confidential:

Any information gathered by the Student Adviser during one to one meetings, phone calls, and e-mails shall remain confidential to the Advice Service. It should not be passed to any third party without the express consent of the student. It is accepted that there will be occasions where, due to law, this is not possible and the Advice Service has a more detailed Confidentiality Policy setting out the circumstances when confidentiality may need to be breached. Personal data gathered from students will be handled in accordance with the Data Protection Act 1998. The Advice Service adheres to the following confidentiality procedures:

- No other outside party or second tier advice agency will be contacted or informed of a student's affairs or of their personal details without their express written authorisation
- The Advice Service staff will not contact, or respond to contact by, parents, tutors/supervisors, College staff or any agency without prior consent from the student
- The Advice Service cannot deal with students anonymously, so as a minimum will require a name, student number and one form of contact information before proceeding with a case
- If a member of staff breaches confidentiality, they are responsible for notifying the student to explain how, when and why this occurred
- Sometimes parents or guardians contact the Advice Service wishing to discuss a case. The Student Adviser will not disclose or divulge any information about a student to a parent/guardian. The Student Adviser cannot acknowledge whether a student is using the service or not. The Student Adviser will advise the parent/guardian to discuss the matter with the student and ask them to contact the service to give their permission for the parent/guardian to be involved
- A parent/guardian/friend can attend an appointment with a student; however this can be in a supporting capacity only. The Advice Service will not discuss an individual's case with a third party in their absence – unless prior written consent has been given by the student.

2.5 Empowering:

The Student Adviser will provide students with the information, advice, and guidance to enable them to make their own informed decisions. The Student Adviser will, where possible, enable students to resolve problems themselves and restrict their own intervention where necessary. Recurring appointments will be monitored to ensure provision of the service remains appropriate for both the student and the Student Adviser.

2.6 Equal:

The Advice Service operates free from unlawful and unfair discrimination in line with the Equality Act 2010. Service provision is equal for all regardless of age; disability; gender (including gender reassignment); marriage and civil partnership status; pregnancy and maternity; race; religion or belief; sex; sexual orientation; or any other differences.

3. ACCESS TO SERVICE

3.1. The Advice Service is open all year round and is available to all students and graduates for up to a year after graduation. The Advice Service is staffed by a trained Student Adviser, supported by Policy Coordinators and managed by the Policy Manager. The Advice Service is permanently based at the Students' Union at Dunelm House in Durham.

3.2. Students wishing to access the Advice Service are required to fill in an Advice Service Intake Form which can be found on the Durham Students' Union website. All enquiries made through the form will be triaged by a Student Advice Triage staff member (during term time), or by the Student Adviser, and responded to within 2 working days. The Student Advice Triage staff member will signpost where possible and complex cases will be passed over to the Student Adviser.

3.3. The service is by appointment only and will not be able to offer same day appointments.

3.4. Where it is clear that a conflict of interest could exist for the Student Adviser, a student will be redirected to Newcastle University Students' Union Advice Service, as detailed in our Conflict of Interest Policy.

If a student feels, at any time, uneasy with the Student Adviser or dissatisfied with the service given, they:

- Should arrange to meet with the Policy Manager who will explore the matter with the student and reach a decision as soon as is practicable. The Policy Manager may request the details of the student's dealings with the Advice Service;
- May wish to make a formal complaint via Durham Students' Union's Complaints Procedure if they deem the actions of the Student Adviser to be inappropriate; if there is conflict of interest; if they are dissatisfied with the service; and/or if they deem the Student Adviser has handled their case negligently.

3.5. Students requiring reasonable adjustments in order to access the Advice Service should make these known to the Adviser as soon as is reasonably practicable. The Advice Service will endeavour to accommodate these requirements to the best of its capacity and remit.

3.6. In exceptional circumstances, the Student Adviser may agree to speak to a third party on behalf of a student. The relevant form must be completed in advance (see 'Third Party Information Sharing Form').

3.7. For the purposes of monitoring and maintaining service standards, and to ensure that the needs and responsibilities of both student and Adviser are being met, the Student Adviser may be accompanied by the Policy Manager during face-to-face or telephone appointments (or, in their absence, a delegate).

4. RECORD KEEPING: COMPLIANCE WITH THE DATA PROTECTION ACT 1998

4.1. The Advice Service will keep electronic records for the purpose of ongoing student support, monitoring, quality assurance, evaluation, and policy support.

4.2. The Advice Service will request that students provide basic information and authorisation for the Advice Service to act and store their details on the Advice Pro system. This will be requested via the Advice Service Intake Form. In the rare eventuality that a student is attending in person, calling directly or being referred by a member of University staff, and has not already completed the Advice Centre Intake Form, the Advice Centre will require the student to complete a printed copy of the intake form before being seen by the Student Adviser, where possible. If a student has not completed an Intake Form (for instance if they call and speak to the Student Adviser directly), their information will not necessarily be stored by the Advice Service. This will be explained to the student.

4.3. The Student Adviser uses Advice Pro, an electronic case management system which allows them to store student information, case details, and documents on an online secure database. Advice Pro is a nationally recognised system by the National Union of Students (NUS) that complies with the principles of the Data Protection Act 1998 and is accessible by the Student Adviser, the Policy Manager and Advice Triage Student (all of whom are bound by this Code of Practice).

4.4. The Advice Service maintains all case records electronically and the Student Adviser will destroy all paper records/case notes as soon as they have added the information to Advice Pro.

4.5. At the end of an appointment an electronic case record will be kept for that student. This information should be updated on every occasion the student visits or contacts the Advice Service.

4.6. The Students' Union adheres to the Data Protection Act 1998 and to the principle of confidentiality, meaning that we do not share students' personal information with third parties unless they give explicit written consent to do so, or where required by law. Confidentiality can be lawfully waived in certain circumstances, including when a student is in danger of harming herself/himself and/or others or when the Advice Service is ordered to do so by a court. However, the Advice Service would always seek legal advice before breaching a student's confidentiality.

4.7. Anonymised data is used by the Policy Manager to generate regular reports to highlight new trends and developing issues within the University. These reports may be used by Student Officers to assist the campaigns and policy positions of the Students' Union.

5. STUDENTS ACCESS TO RECORDS

5.1. A student can request to view their own case and client record in writing to the Policy Manager. Under the Data Protection 1998, students/service users have a right to access all notes kept on them. References to other individuals in the notes will not be available to the requester, as protection is also granted to third parties. The Policy Manager and/or the Student Adviser will talk to the student about what their file contains and why.

5.2. Student Unions are not public authorities and are therefore not subject to the Freedom of Information Act 2000.

5.3. If individuals or third parties - including the University - require information about a specific case, they will need to gain the written permission of the originating student. Additionally, the Advice Service will neither confirm nor deny whether the student being enquired about is a service user without the permission of that student (see information on confidentiality). Any exceptions to this are outlined in our Confidentiality Policy.

6. REFUSAL/LIMITATIONS/WITHDRAWAL OF SERVICE

6.1. If supporting in the student's chosen course of action would cause conflict with the Advice Service or with Durham Students' Union's regulations and policies/guidelines or with the law, the Student Adviser will:

- Decline to follow the chosen course of action
- Explain to the student why
- Suggest alternative courses of action; and
- Alternative sources of advice/representation

6.2. The Advice Service may limit support to 'advice only' - i.e. not representing, mediating or advocating for the student - if the Student Adviser believes the student's preferred course of action would prove counter-productive to the student's interests.

6.3. The Advice Service reserves the right (subject to confirmation by the Policy Manager) to withdraw from a student's case if:

- A student is found to have deliberately lied on material issues thus potentially compromising the reputation and standing of both the Student Adviser and the Service.
- The student becomes abusive or violent toward the Student Adviser
- The student persistently, and without good cause, fails to keep appointments
- The student is already being advised by another agency on the same matter and/or
- There is evidence of continued counterproductive networking between agencies
- The student becomes overly demanding and fails to recognise the role and remit of the Advice Service
- If the Student Adviser believes the preferred course of action would bring themselves, the Advice Service or the Students' Union into disrepute.

Such decisions should be discussed with the Policy Manager and, if necessary, the Chief Executive, if the student is dissatisfied with the explanation given. If the Advice Service needs to withdraw service, the client will be notified in writing. The student will be referred to the Durham Students' Union Complaints Procedure as appropriate.

6.4. For reasons of safeguarding, in emergency situations The Student Adviser reserves the right to halt any meeting at any time. The Student Adviser may also use a panic alarm at any time during the course of an appointment to alert other SU staff that assistance is required (see Distress Alarm Policy)".

7. STUDENT RESPONSIBILITIES

Students who use the Advice Service will be expected to:

- treat the Student Adviser with respect and courtesy at all times – refraining from violence, intimidation and abuse
- be open, honest and forthcoming with the Advice Service – ensuring that the Student Adviser has all the facts and information pertinent to the case
- provide updates on any developments in the case or changes of circumstances (address etc.)
- attend appointments on time and to inform the Advice Service in advance of the need to cancel or postpone a pre-arranged appointment
- inform the Advice Service of any decision to drop, or change their position on, a matter being pursued by the Student Adviser
- inform the Advice Service if other agencies (in particular another Advice Service Adviser, University or College staff, solicitor or other advice agency) have been consulted on the same issue
- provide the Advice Service with the outcome of the case and provide feedback via our feedback forms
- take ownership of their own case and proactively seek resolutions to their own cases – e.g. by writing their own statements and deciding on courses of action

8. CASEWORKER MANAGEMENT AND SUPERVISION

8.1. The Policy Manager will conduct regular one to one meetings with the Student Adviser in line with best practice, to discuss individual cases; Student Adviser experiences; the effectiveness of Service processes and to identify personal development needs

8.2. The Policy Manager will, on a termly basis and when a specific need arises, review a small sample of student files and case notes to ensure cases are being recorded correctly and service standards are being maintained.

8.3. Reports will be generated from Advice Pro on a weekly, monthly and termly basis – so as to identify trends in service use and monitor the outputs, outcomes and impact of the Service.

9. EVALUATION OF SERVICE

9.1 In order to ensure that the Advice Service is providing the best possible service and support to Durham students, it is essential that we are able to measure the effectiveness of the service – including the advice received and the manner in which it was provided; the resources and information available; the helpfulness of reception and the suitability of the Advice meetings rooms.

9.2. To this end, all students are invited to make suggestions, comments and/or complaints about any aspect of the Advice Service, anonymously and confidentially if they wish. Upon closure of a case, students will be sent an evaluation email containing a link to an electronic evaluation form. This same link will be included on the signature of all Advice Service staff and on the Advice Service web pages. Forms will also be available in paper form for students.

9.3. In order to evaluate the impact of the Advice Service on an annual basis, the Policy Manager will collate feedback forms, casework reports, and annual reports from Advice Pro

and any other relevant evidence. The Policy Manager will then work with the Policy Team to produce an impact report.

9.4 As part of the annual evaluation process this Code of Practice will be reviewed and any changes made and published in advance of the next academic year.

10. ADVICE SERVICE POLICIES

10.1. Confidentiality Policy

10.2. Conflict of Interests Policy

10.3. Distress Alarm Policy

10.4. Third Party Information Sharing Form

CONFIDENTIALITY POLICY

Statement

All information given to the Advice Service by students shall be kept strictly confidential. No information regarding an individual student shall be given out directly or indirectly to any organisation or individual outside of the Advice Service without the students' clear written expressed consent. The Student Adviser has a duty of care which may require them to breach student confidentiality in rare circumstances, for instance if they believe the student or others to be at risk of sexual, physical or emotional harm.

Records

Information relating to individual users of the Advice Service will be recorded in confidential case records, which are stored electronically within the Advice Service's case management system. The Student Adviser will destroy all paper records/case notes as soon as they have added the information to Advice Pro. Case records are only accessible to the Student Adviser, the Policy Manager, the Advice Triage Student Staff and, when necessary, the Director of Campaigns.

Each student will be asked to give consent to the keeping of their information via the Advice Centre Intake Form, in order to ensure compliance with GDPR. In the rare eventuality that a student is attending in person, calling directly or being referred by a member of University staff, and has not already completed the Advice Centre Intake Form, the Advice Centre will require the student to complete a printed copy of the intake form before being seen by the Student Adviser, where possible. If a student has not completed an Intake Form (for instance if they call and speak to the Student Adviser directly), their information will not be stored by the Advice Service. This will be explained to the student.

A completed Advice Centre Intake Form will represent a declaration – from an individual student – that they have authorised the Advice Service to record and store their information and contact third parties on their behalf. Where the student refuses consent, there will be no record of information stored by the Advice Service.

Confidential space is available in the Advice Centre room for discussions between the Student Adviser and students. Students are not required to disclose any in-depth details of their enquiry when filling out the Advice Centre Intake Form, should they not wish to. Advice Service staff are required to ensure all conversations relating to an individual student's case are had in confidential spaces within Dunelm House.

Breaches of confidentiality

In very rare circumstances the Student Adviser may feel they have to breach a student's confidentiality due to their duty of care. Confidentiality will only be breached in the following circumstances:

1. Where there appears to be a serious and imminent risk to the students' own or to others safety (e.g. sexual, physical or emotional harm)
2. Where the law requires the Advice Service to breach confidentiality – e.g.:
 - a) Under anti-terrorism legislation
 - b) Where money laundering may be in question
 - c) Where there is a potential risk of child abuse
3. Where there is a court order requiring disclosure

The Advice Service is under no obligation to disclose information to the Police unless there is a court order. Moreover, the Police do not have the right to search the premises or go through any of the Advice Service's records.

The Advice Service is also under no obligation to disclose information to the University.

For instances in which confidentiality is breached, information will be passed to emergency services, such as the NHS Crisis Team or the Police.

Where the Student Adviser feels that confidentiality should be breached, she/he should raise the issue with the Policy Manager. The Policy Manager and Student Adviser should discuss the reasons for the breach in confidentiality and explore all available options. If a breach in confidentiality is considered necessary, this will be shared with the Chief Executive and a final decision made. If it is felt necessary to disclose details of a particular case to a third party without the specific consent of the student concerned, a specific and limited disclosure may take place. All details of the disclosure shall be recorded on Advice Pro. If the Policy Manager is not available, the Student Adviser may discuss the case with the Director of Campaigns.

Review

The Advice Service, with the support of the Director of Campaigns, will monitor and review this policy to ensure compliance with all statutory and legal requirements.

This policy will be made available to all Advice Service and Reception Staff and will be accessible for students on the Durham Students' Union website.

CONFLICT OF INTEREST POLICY

Statement

Durham Students' Union Advice Service aims to support all students on an equal and impartial basis. The advice and representation offered should be professional, independent and impartial and anything that impacts on the ability of the Student Adviser to maintain that independence and impartiality is likely to cause a conflict of interest.

This policy sets out what is meant by a 'conflict of interest'; examples of potential conflicts and what the Advice Service will do when a conflict of interest has been identified.

What is a conflict of interest?

A conflict of interest occurs where the Advice Service is unable to assist a student in an impartial and independent way. A conflict of interest will also arise if the Advice Service considers that, by assisting a student, we would be perceived as failing to act impartially. A conflict of interest may arise:

1. If the Student Adviser is approached with an issue by one or more students who are in conflict with one another. This happens when a student accesses the Advice Service for help with an issue relating to another student who is already being supported – for example a tenant-landlord dispute where both parties are students or a sexual violence case where both alleged victim and perpetrator try and access the service. A student conflict could also arise when two or more students have been co-accused of the same offence – e.g. bullying or alleged collusion
2. If the Student Adviser is approached with a matter that involves staff within or closely associated with the Students' Union or a family member
3. If a student wished to take a course of action which could be damaging to the services provided by the Advice Service and/or the Students Union
4. If a student presented information to the Student Adviser that they knew was false

Conflict of interest procedure

Conflicts of interest are identified by the Student Adviser and the use of Advice Pro to cross-reference. The Student Adviser is aware of the situations or circumstances which have the potential to throw up conflicts of interest and will share information with the Policy Manager so potential conflict can be identified at an early stage. The Student Adviser is responsible for identifying any potential conflict of interest in a timely manner and will consult with the Policy Manager if there is a doubt about whether a conflict is present.

Once a potential conflict of interest has been identified, the Student Adviser must:

1. Notify the student and clearly explain what course of action will be taken. Notifying a student of a conflict of interest may inadvertently draw attention to another student's use of the service. The Student Adviser will only reveal that a conflict has been identified and will never share information about any other party who has contacted the service.
2. Provide details of and/or refer to the most appropriate third party agency – this can either be an external agency or another Students' Union.
3. Where referring to another Students' Union would be the best course of action, refer to Newcastle University Student Union as part of our reciprocal agreement. We are able to refer a total of 2 cases per term to Newcastle University Students' Union. This number of cases is currently in a trial period, and will be reviewed annually.
4. Ensure that the Advice Service is not representing different students in connected cases. Due to the size of the Advice Service, it would be impossible to represent both parties of a complaint impartially. In such cases we would work on a 'first come first served basis' and only assist the second party by identifying alternative sources of support.

Review

The Advice Service, with the support of the Director of Campaigns, will monitor and review this policy to ensure compliance with all statutory and legal requirements.

This policy will be made available to all Advice Service and Reception Staff and will be accessible for students on the Durham Students' Union website.

DISTRESS ALARM POLICY

Statement

It is common practice for alarms to be installed and utilised in services that could involve any risk of harm to members of staff by service users.

To this aim, to ensure that the safety and wellbeing of the Student Adviser is upheld at all times, an alarm has been installed in the Advice Room, and may be activated in particular circumstances. The purpose of this policy is to outline the procedure that staff will follow when this alarm is activated.

Use and Activation

The Student Adviser will activate the alarm if they feel threatened by:

- Physical violence
- Verbal or physical aggression
- The threat of verbal or physical violence
- Mental distress
- Non-compliance (i.e. refusing to leave when asked)

The Student Adviser is able to activate the alarm at any time during an appointment and for any of the above reasons. The Distress Alarm (a wall-mounted, push-button, wireless device in the Advice Room) will alert members of staff at Durham Students' Union that assistance is required in the Advice Room. If the Distress Alarm has been used, the student attending the appointment will be required to leave immediately and may no longer be able to continue to access the Advice Service.

Please note that for all clinical emergency situations, the telephone will be used to dial 999 and contact the relevant emergency services.

Procedure when Alarm Activates

The alarm will sound in the Durham Students' Union Staff Office. Upon hearing this alarm, a member of management will attend the scene immediately and, if possible, a second member of staff will follow and remain at a safe distance (i.e. on the stairs between A Level and B Level in Dunelm House) and will be ready to call 999 and alert the police if necessary.

One of the two attending members of staff will knock on the door of the Advice Room and will pause briefly to await a response before entering. They will assess the situation rapidly and will allow the Student Adviser to exit the room if required.

All incidents will be logged using an Incident Report (IR1) form. These forms are then processed by the Director of Services, who will exercise their judgment in terms of how and to whom the incident should be escalated (e.g. to Durham University, the Police, etc).

Third Party Information Sharing Form

Name: _____

Name of Third Party: _____

	Tick
I give my permission for the Student Adviser to share information with the above named Third Party on my behalf and at my request.	<input type="checkbox"/>
I have made the Student Adviser aware of any information I do not wish to be shared with the above named third party.	<input type="checkbox"/>

If there is any information you do not wish to be shared with the above named third party, please detail this below:

Signed: _____

Date: _____

Signed: _____

Date: _____

(On behalf of Durham SU)